

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SRI CLYDE COLLINS,

Plaintiff,

-v-

05-CV-0039Sr

GLENN S. GOORD, *et al.*,

Defendants.

DECISION AND ORDER

Pursuant to 28 U.S.C. § 636(c), the parties have consented to the assignment of this case to the undersigned to conduct all proceedings in this case, including the entry of final judgment. Dkt. #20.

The Assistant Attorney General declares that plaintiff failed to attend his duly noticed deposition on May 7, 2010. Dkt. #45. The Assistant Attorney General has indicated his willingness to reschedule the deposition in Rochester, New York for plaintiff's convenience, but requests plaintiff's assurance that he will attend. Dkt. #45.

Plaintiff is directed to contact the Assistant Attorney General no later than **May 25, 2010** to reschedule his deposition. Plaintiff is forewarned that his failure to attend his deposition on the rescheduled date shall result in sanctions, including, but not limited to, dismissal of this action for failure to prosecute pursuant to Rule 41(b) of

the Federal Rules of Civil Procedure.

The deadline for completing depositions is extended to **June 25, 2010**.

SO ORDERED.

DATED: Buffalo, New York
May 17, 2010

s/ H. Kenneth Schroeder, Jr.
H. KENNETH SCHROEDER, JR.
United States Magistrate Judge